

Docket No. 20429/1

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## COMBINED DECLARATION AND POWER OF ATTORNEY

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As a below named inventor(s), I hereby declare that:

### TYPE OF DECLARATION

This declaration is for a utility patent application.

### INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if two or more names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

SYSTEM AND METHOD FOR PERSONALIZED MESSAGE CREATION AND DELIVERY

### SPECIFICATION IDENTIFICATION

The specification

is attached hereto.  
 was filed on April 7, 2000 and has U.S. Application Number 09/545,015  
and was amended on

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56.

## PRIORITY

The present application claims the benefit under 35 U.S.C. §119(e) of Prior U.S. Provisional Applications:

### Provisional Application Serial Number

### Filing Date

The present application claims the benefit under 35 U.S.C. §120 of the following Applications:

### Application Serial Number

### Filing Date

### Status

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## POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

### APPOINTED PRACTITIONER(S)

### Customer Number 21710

Brian L. Michaelis (34,221)  
Mark S. Leonardo (41,433)  
Mark A. Hofer (30,068)

Jacques B. Miles (42,888)  
David D. Lowry (38,538)  
Joseph P. Quinn (45,029)

### SEND CORRESPONDENCE TO

Brian L. Michaelis  
Brown Rudnick Freed & Gesmer  
Box IP, 18<sup>th</sup> Floor  
One Financial Center  
Boston, MA 02111

### DIRECT TELEPHONE CALLS TO:

Brian L. Michaelis 617-856-8369

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

**First Inventor:** Seth Haberman

**Inventor's signature:** 

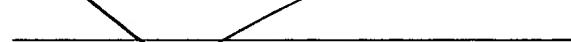
**Date** \_\_\_\_\_

**Country of Citizenship:** U.S.A

**Residence:** New York, NY

**Post Office Address:** 1 West 85<sup>th</sup> Street, Apt. 6A, New York, NY 10024

**Second Inventor:** Chet Schuler

**Inventor's signature:** 

**Date** \_\_\_\_\_

**Country of Citizenship:** U.S.A.

**Residence:** Marlboro, MA

**Post Office Address:** 87B Broadmeadow Road, Apt. 9, Marlboro, MA 01752

*See other page for  
signature and correct  
address.*

## DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURE(S)

**First Inventor:** Seth Haberman

**Inventor's signature:** \_\_\_\_\_ **Date** \_\_\_\_\_  
**Country of Citizenship:** U.S.A  
**Residence:** New York, NY  
**Post Office Address:** 1 West 85<sup>th</sup> Street, Apt. 6A, New York, NY 10024

**Second Inventor:** Chet Schuler

*Chet Schuler*  
**Inventor's signature:** Chet L. Schuler **Date** 7/21/00  
**Country of Citizenship:** U.S.A.  
**Residence:** Marlboro, MA  
**Post Office Address:** 30 Westminster Drive, Marlboro, MA 01752

<b>VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN</b>			
			Docket No. 20429/1
Serial No. 09/545,015	Filing Date April 7, 2000	Patent No. N/A	Issue Date N/A
<p>Applicant/ <b>HABERMAN et al.</b> Patentee:</p> <p>Invention: <b>SYSTEM AND METHOD FOR PERSONALIZED MESSAGE CREATION AND DELIVERY</b></p>			
<p>I hereby declare that I am:</p> <p><input type="checkbox"/> the owner of the small business concern identified below:  <input type="checkbox"/> an official of the small business concern empowered to act on behalf of the concern identified below:</p> <p>NAME OF CONCERN: <b>VISIBLE WORLD, INC.</b>  ADDRESS OF CONCERN: <b>527 West 34th Street, 6th Floor, New York, NY 10001</b></p> <p>I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.</p> <p>I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:</p> <p><input type="checkbox"/> the specification filed herewith with title as listed above.  <input checked="" type="checkbox"/> the application identified above.  <input type="checkbox"/> the patent identified above.</p> <p>If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).</p>			

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- no such person, concern or organization exists.
- each such person, concern or organization is listed below.

FULL NAME	_____		
ADDRESS	_____		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	_____		
ADDRESS	_____		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	_____		
ADDRESS	_____		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization
FULL NAME	_____		
ADDRESS	_____		
	<input type="checkbox"/> Individual	<input type="checkbox"/> Small Business Concern	<input type="checkbox"/> Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:	<u>Seth Haberman</u>
TITLE OF PERSON SIGNING	_____
OTHER THAN OWNER:	<u>President</u>
ADDRESS OF PERSON SIGNING:	<u>527 West 34th Street, New York, NY 10001</u>

SIGNATURE:



DATE: